

Patent Application
Attorney Docket No.: 56130.000011
Client Reference No.: 11889RRUS01U

REMARKS

The Office Action dated July 26, 2006, has been received and carefully considered. In this response, the claims 1, 5 and 13 have been amended, and claims 3, 4, 5, 15, 16 and 17 have been cancelled without prejudice. Entry of the amendments to the claims 1, 5 and 13, and the cancellation of claims 3, 4, 5, 15, 16 and 17 without prejudice is respectfully requested. Reconsideration of the outstanding objections/rejections in the present application is also respectfully requested based on the following remarks.

At the outset, the undersigned thanks the Examiner for the courtesies extended during the telephone interview conducted on September 25, 2006, during which Applicant discussed amending the independent claims to incorporate elements disclosed in Figure 5 of the pending application.

I. THE OBVIOUSNESS REJECTION OF CLAIMS 1-24

On page 3 of the Office Action, claims 1-3, 6-9, 11-15, 18-21, 23 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Pickering (U.S. Patent No. 6,628,666) in view of Oran (U.S. Patent No. 6,275,574), and further in view of Allain (U.S. Patent No. 6,449,259). On page 5 of the Office Action, claims 4 and 16 were rejected under 35 U.S.C. § 103(a)

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as being unpatentable over Pickering, in view of Oran, and further in view of Allain. On page 6 of the Office Action, claims 5 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Pickering, in view of Oran, in view of Allain, and further in view of Bridgman (U.S. Patent No. 6,523,062). On page 7 of the Office Action, claims 10 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Pickering, in view of Oran, in view of Allain, and further in view of Kuthyar (U.S. Patent No. 5,768,513). These rejections are hereby respectfully traversed.

As stated in MPEP § 2143.03, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). That is, "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Although Applicant does not agree with the pending rejections, Applicant has nonetheless amended the claims to clarify the claimed systems and methods and better distinguish

the cited references. In particular, Applicant has amended independent claims 1 and 13 to recite features and functionality not disclosed by cited references, namely: (1) wherein the first interface comprises a base station in wireless communication with the SIP-enabled telephone device, wherein the base station includes a converter for converting signals to or from a USB format; (2) the first interface is communicating with the host via a USB connection; and (3) wherein the host further comprises a Wireless Markup Language (WML) module for accessing WML content via the SIP-enabled telephone device and for associating the SIP-enabled telephone device with a hyperlink.

Applicant respectfully submits that none of the cited references, alone or in combination, teach or suggest any feature or functionality comprising: (1) a base station in wireless communication with an SIP-enabled telephone device, wherein the base station includes a converter for converting signals to or from a USB format; (2) a first interface communicating with a host via a USB connection; or (3) wherein the host further comprises a Wireless Markup Language (WML) module for accessing WML content via the SIP-enabled telephone device and for associating the SIP-enabled telephone device with a hyperlink.

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For at least these reasons, therefore, Applicant respectfully submits that independent claims 1 and 13 are allowable over the cited references.

Claims 6-12 and 18-24 are dependent upon independent claim 1 or 13. Thus, since independent claims 1 and 13 should be allowable as discussed above, claims 6-12 and 18-24 should also be allowable at least by virtue of their dependency on independent claim 1 or 13. Moreover, these claims recite additional features which are not claimed, disclosed, or even suggested by the cited references taken either alone or in combination. For example, claim 12 recites wherein the at least one communications link comprises a plurality of communications links, and the host selectively activates one of the communications links according to the at least one transmission criterion. Applicant respectfully submits that none of the cited references, alone or in combination, teaches or suggests the system of claim 1 wherein the at least one communications link comprises a plurality of communications links, and the host selectively activates one of the communications links according to the at least one transmission criterion.

In view of the foregoing, it is respectfully requested that the aforementioned anticipation rejection of claims 1-24 be withdrawn.

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In view of the foregoing, it is respectfully requested that the aforementioned obviousness rejection of claims 1-24 be withdrawn.

II. CONCLUSION

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

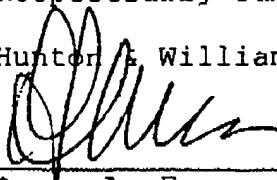
To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0206, and please credit any excess fees to the same deposit account.

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APPENDIX A

1 (Currently Amended). A system for adaptively placing a call via one of a plurality of transmission modes, comprising:

a first interface to an SIP-enabled telephone device, wherein the first interface comprises a base station in wireless communication with the SIP-enabled telephone device, wherein the base station includes a converter for converting signals to or from a USB format;

a second interface to at least one communications link; and
a host, communicating with the first interface via a USB connection and the second interface, the host selectively initiating a call from the SIP-enabled telephone device as at least one of a telephone call and a data connection via the at least one communications link according to at least one user-defined transmission criterion, and wherein the host further comprises a Wireless Markup Language (WML) module for accessing WML content via the SIP-enabled telephone device and for associating the SIP-enabled telephone device with a hyperlink.

2 (Canceled).

3 (Canceled).

4 (Canceled).

5 (Canceled).

6 (Original). The system of claim 1, wherein the host

comprises a computer.

7 (Original). The system of claim 1, wherein the at least one transmission criterion comprises at least one of cost, time of day, day of week, user-defined routing data, packet delay and signal to noise ratio.

8 (Original). The system of claim 1, wherein the call comprises a telephone call and the at least one communications link comprises the public switched telephone network.

9 (Original). The system of claim 1, wherein the call comprises a data connection and the at least one communications link comprises the Internet.

10 (Previously Presented). The system of claim 1, further comprising a media management module, the media management module executing at least one of a cordless telephone operation, an answering machine operation, a pager operation, an intercom operation, and an audio/visual operation via the SIP-enabled telephone device.

11 (Original). The system of claim 1, wherein the host selectively retries at least a data connection to reassess transmission conditions.

12 (Original). The system of claim 1, wherein the at least one communications link comprises a plurality of communications links, and the host selectively activates one of the

communications links according to the at least one transmission criterion.

13 (Currently Amended). A method for adaptively placing a call via one of a plurality of transmission modes, comprising:

a) receiving a call initiation request, via a first interface to an SIP-enabled telephone device, wherein the first interface comprises a base station in wireless communication with the SIP-enabled telephone device, wherein the base station includes a converter for converting signals to or from a USB format; and

b) selectively initiating a call from the SIP-enabled telephone device as at least one of a telephone call and a data connection via at least one communications link according to at least one user-defined transmission criterion, wherein the communications link is communicating with a host that is communicating with the first interface via a USB connection, and wherein the host further comprises a Wireless Markup Language (WML) module for accessing WML content via the SIP-enabled telephone device and for associating the SIP-enabled telephone device with a hyperlink.

14 (Canceled).

15 (Canceled).

16 (Canceled).

17 (Canceled).

18 (Original). The method of claim 13, wherein the step b) of selectively initiating is executed by a host computer.

19 (Original). The method of claim 13, wherein the at least one transmission criterion comprises at least one of cost, time of day, day of week, user-defined routing data, packet delay and signal to noise ratio.

20 (Original). The method of claim 13, wherein the call comprises a telephone call and the at least one communications link comprises the public switched telephone network.

21 (Original). The method of claim 13, wherein the call comprises a data connection and the at least one communications link comprises the Internet.

22 (Previously Presented). The method of claim 13, further comprising a step of d) executing at least one of a cordless telephone operation, an answering machine operation, a pager operation, an intercom operation, and an audio/visual operation via the SIP-enabled telephone device.

23 (Original). The method of claim 13, further comprising a step of e) selectively retrying at least a data connection to reassess transmission conditions.

24 (Original). The method of claim 13, wherein the at least one communications link comprises a plurality of communications

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links, further comprising a step of f) selectively activating one of the communications links according to the at least one transmission criterion.